

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TIMOTHY O'NEIL,

Plaintiff,

v.

SHERIFF VICTOR HILL,

Defendant.

CIVIL ACTION FILE

NO.: 1:21-CV-04173-AT-CCB

DECLARATION OF KALI HUITT
UNDER PENALTY OF PERJURY

1.

My name is Kali Huitt. I am over the age of eighteen (18) years and am suffering under no legal disability that would prevent me from providing this declaration made pursuant to 28 U.S.C. § 1746. I make this declaration having personal knowledge of the facts stated herein, and with the understanding that it will be used in the above-styled action.

2.

I currently serve as a Sergeant at the Clayton County Sheriff's Office.

3.

The Clayton County Jail ("CCJ") has formal procedures in place for persons confined at the CCJ to file grievances when they feel it is necessary to do so. A true and correct copy of the Clayton County Sheriff's Office Standard Operating Procedures regarding Inmate Grievances ("Grievance SOP") is attached hereto as Exhibit 1. This Procedure applies to both pretrial detainees and inmates at the CCJ.

4.

Detainees and inmates at the CCJ are informed and educated about the Grievance SOP during orientation and intake. Moreover, CCJ staff are always available to answer questions regarding the Grievance SOP.

5.

Detainees and inmates are informed that in lieu of Grievance Forms and Collection, as described under subparagraphs 1 and 2 of the Grievance SOP, they are required to use the Kiosk system to electronically submit grievances

6.

Prior to the filing of a formal written grievance in the Kiosk, an inmate shall attempt to resolve his or her grievance informally through discussion with an officer. If this effort fails, the inmate may submit a written grievance through the Kiosk. The

inmate must file the grievance within five (5) days of the alleged incident. Any grievances unresolved at the time of the inmate's release shall be considered closed.

7.

I have thoroughly reviewed the CCJ's files for the inmate grievance history of Timothy O'Neil. No grievances were ever filed by Timothy O'Neil.

8.

By my signature below, I declare, under penalty of perjury, that the foregoing is true and correct.

Executed under penalty of perjury on this 11 day of January, 2022.


Sergeant Kali Huitt



CLAYTON COUNTY SHERIFF'S OFFICE
JAIL DIVISION
STANDARD OPERATING PROCEDURES
Implemented on: January 04, 2012

SUBJECT: INMATE GRIEVANCES

SOP NO: 9.01

GA. LAW: NONE

APPLICABLE GSA STANDARD NUMBER: 22.01, 22.02, 22.03, 22.06

APPLICABLE ACA STANDARD NUMBER: 6B-01, 02

DATE CREATED: OCTOBER 15, 1986 LATEST UPDATE: September 6, 2011

POLICY:

The staff of the Clayton County Detention Facility shall seek to resolve grievances at the lowest possible level and shall ensure inmate grievances are addressed in a professional and orderly manner. Inmates shall not be subjected to retaliation or discipline for their non-abusive use of the grievance procedure.

PROCEDURES:

1. Access to Grievance Forms:

Inmates shall be provided a Grievance Form upon request. No inmate shall be denied a Grievance Form.

2. Collection:

Inmates requesting to file the issued Grievance Form shall be allowed to place the completed form inside the Grievance Box mounted in his/her Housing Unit, during a special call for this purpose, to be held once during each shift. The Grievance Officer shall collect all Grievance Forms, sign as receiving, and write the date and time received on the appropriate line.

3. Standard Grievance Procedure:

- a. Prior to the filing of a formal written grievance, an inmate shall attempt to resolve his or her grievance informally through discussion with an officer. If this effort fails, the inmate may submit a written grievance. The inmate must file the grievance within five (5) days of the alleged incident. Any grievances unresolved at the time of the inmates release shall be considered closed.
- b. Any grievance filed on behalf of another inmate without their permission will be considered non-grievable by the Grievance Officer.
- c. Inmates may only address one area of concern per Grievance Form.
- d. Use of obscenities or abusive language may result in dismissal of the grievance or disciplinary action unless quoting accurately staff or inmate comments.

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- e. If the inmate disagrees with the response from the Grievance Officer, the inmate shall submit a written appeal to the Jail Administrator or his/her designee within two (2) days. The Jail Administrator or his/her designee may support the original resolution or offer another. The Jail Administrator or his/her designee shall return his or her decision within ten (10) days.
 - f. If the inmate fails to submit a written notification of disagreement within two (2) days of the receipt, the grievance shall be considered administratively closed.
 - g. Grievances filed on medical, dental care, or food services shall be forwarded directly to the Medical or Food Services Administrator by the Grievance Officer. That administrator shall be responsible for investigating the grievance and submitting a response. The response shall list the facts found in the investigation. That administrator shall return a written response within three (3) working days to the Grievance Investigator.
 - h. Grievances with allegations of physical abuse shall be forwarded to the Jail Administrator or his/her designee.
 - i. Grievances submitted which do not follow these procedures shall be returned to the inmate with an explanation from the Grievance Officer.
 - j. The Jail Administrator or his/her designee shall ensure the grievance procedures are applied in a just and fair manner.
4. Time Constraints:
- a. Grievances shall be processed in a timely manner.
 - b. A response shall be given to the inmate no more than ten (10) calendar days from the receipt of the grievance.
 - c. In all cases the final decision shall be provided within 30 calendar days, from the filing of the grievance by the inmate.
5. Applicable/Non-Applicable Grievances:
- a. The grievance procedure may be used by any inmate. The following matters are grievable.
 - i. The application of the Clayton County Detention Facility Inmate Handbook.
 - ii. The actions of staff members or inmates.
 - iii. Other matters concerning the conditions of care or supervision.

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- b. Grievances filed with the following concerns are considered non-grievable issues and shall be answered by the Grievance Officer in that manner:
 - i. State or Federal Court decisions.
 - ii. City, State and Federal Laws and Regulations.
 - iii. Parole Board decisions.
 - iv. Any other matters which are beyond the control of the Clayton County Sheriff's Office.

6. Remedies:

When grievances are decided in the inmate's favor, the Jail Administrator or their designee may authorize one or more of the following:

- a. A change of policies, procedures, or practices.
- b. A correction of an inmate's records.
- c. Discipline or requested discipline for an employee's action in accordance with the limitations specified in the Department's Rules & Regulations.
- d. Any other action deemed appropriate.

7. Issuing:

When issuing the Grievance Form annotate in the "received by" section of the form which officer issued the form by writing in the name and employee number of the officer. Write the inmates full name, full four digit cell number and the current date. Annotate the issuance of the Grievance form on the Grievance Log and on the inmate's "JC" screen. The "JC" computer entry should cite the grievance number, reason for the grievance and the officer's name which issued the grievance. For accountability purposes only issue grievances which are numbered and issue them in sequential order.